UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : <u>FILED UNDER SEAL</u>

V. - : PRIOR FELONY INFORMATION

DON MILLER, : 04 Cr. -- (PKC)

Defendant. :

COUNT ONE

The United States Attorney charges:

- 1. On or about November 19, 1991, in the Supreme Court of New York State, New York County, DON MILLER, the defendant, was convicted of criminal possession of a narcotic drug in the fourth degree, a felony drug offense, in violation of New York State Public Law 220.09
- 2. Accordingly, DON MILLER, the defendant, is subject to the enhanced penalties of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Section 851.)

DAVID N. KELLEY

United States Attorney

MAY 2 5 STOLL S. D. OF N.Y.